

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Ronald A. Guzman	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	03 CR 472 - 2	DATE	4/20/2004
CASE TITLE	USA vs. ZARAFU		

MOTION: [In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

- (1) Filed motion of [use listing in "Motion" box above.]

(2) Brief in support of motion due _____.

(3) Answer brief to motion due _____. Reply to answer brief due _____.

(4) Ruling/Hearing on _____ set for _____ at _____.

(5) Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.

(6) Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.

(7) Trial[set for/re-set for] on _____ at _____.

(8) [Bench/Jury trial] [Hearing] held/continued to _____ at _____.

(9) This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
 FRCP4(m) Local Rule 41.1 FRCP41(a)(1) FRCP41(a)(2).

(10) [Other docket entry] ENTER MEMORANDUM OPINION AND ORDER: Defendant's application for appointment of a Romanian language interpreter is granted.

(11) [For further detail see order attached to the original minute order.]

No notices required, advised in open court.			Document Number
No notices required.		number of notices	
Notices mailed by judge's staff.		APR 21 2004	
<input checked="" type="checkbox"/> Notified counsel by telephone.		date docketed	
Docketing to mail notices.		docketing deputy initials	
Mail AO 450 form.		date mailed notice	
Copy to judge/magistrate judge.		mailing deputy initials	
CG	courtroom deputy's initials		44
U.S. DISTRICT COURT CLERK'S OFFICE			
APR 21 2004			
Date/time received in central Clerk's Office			

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

United States of America

)

Plaintiff,

)

v.

)

Cristian Zarafu

)

Defendant.

)

)

03 cr 472

Judge Ronald A. Guzmán

*DOCKETED
APR 21 2004*

MEMORANDUM OPINION AND ORDER

Defendant has filed an application for appointment of Romanian language interpreter. In support counsel both orally and in writing argues that until the hearing on the defendant's motion to quash arrest and suppress evidence, he had been unaware of how difficult it would be to communicate with his client under the pressure of and given the time constraints of an adversarial proceeding. Apparently on the prior occasions counsel was able to fully communicate with his client by speaking slowly and deliberately regardless of the time it took to do so. However, during the evidentiary hearing his client's constant requests for clarification and explanation, some of which apparently the attorney links to the fact that English is his client's second language, distracted counsel from the questions, testimony, and his note taking.

We do not find any evidence to support the contention that the defendant had extreme difficulty understanding the questions asked by lawyers or the answers of the witnesses or statements made by the court at the hearing. Further, the defendant's difficulty was not of such a nature as to cause counsel to bring it to the court's attention during the course of the hearing or to

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ask for an interpreter at that time. From our observations we conclude that clearly the defendant was at times quite agitated by what he heard at the evidentiary hearing and must have understood most if not all of what was said. In addition, the credible testimony received during the hearing established that defendant was quite able communicate in English with law-enforcement officers. Nevertheless, in recognition of the fact that in times of stress communication may be difficult in any language, and in order to facilitate to the greatest extent possible the communication and cooperation between appointed counsel and the defendant, the court will grant the motion. A Romanian language interpreter is hereby appointed for defendant Zarafu.

Enter 4/20/04

Ronald D. Bryson
Judge